

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM I. KOCH, an individual,

Plaintiff,

-against-

ERIC GREENBERG, an individual,

Defendant.  
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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 5/24/11

07 Civ. 9600 (BSJ) (DF)

ORDER

**DEBRA FREEMAN, United States Magistrate Judge:**

Currently before the Court is a motion (Dkt. 118) by plaintiff William I. Koch ("Koch") to vacate or modify the Confidentiality and Protective Order (Dkt. 78) in this case or, in the alternative, to remove confidentiality designations made by defendant Eric Greenberg ("Greenberg") pursuant to the Confidentiality and Protective Order. Having considered the submissions by the parties, the Court concludes that it would be inappropriate to vacate the Confidentiality and Protective Order in its entirety, and thus Koch's motion is denied to the extent it seeks such relief. As to Koch's alternative application, however, the Court would benefit from additional, more specific, submissions. Accordingly, it is hereby ORDERED that:

No later than June 3, 2011, Koch is directed to serve and submit to the Court a representative sample of the *particular documents* (including deposition transcripts or portions thereof) that, in his view, have been improperly designated as "Confidential Information" or "Confidential – Attorneys' Eyes Only Information" by Greenberg, together with a document-by-document explanation as to the basis for Koch's position that such documents do not warrant

confidential treatment. Greenberg is directed to serve and submit a particularized response no later than June 17, 2011, and Koch may serve and submit a reply no later than June 24, 2011.

Dated: New York, New York  
May 24, 2010

SO ORDERED

  
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DEBRA FREEMAN  
United States Magistrate Judge

Copies to:

all parties (via ECF)